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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/595,826	05/15/2006	Piotr Przybylek	LHUD-02501-NUS	7353
33794	7590	02/21/2008		
MATTHIAS SCHOLL 14781 MEMORIAL DRIVE SUITE 1319 HOUSTON, TX 77079				
EXAMINER				
ELLS, KEVIN L				
ART UNIT		PAPER NUMBER		
2188				
NOTIFICATION DATE		DELIVERY MODE		
02/21/2008		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

USPTORECEIPT@GMAIL.COM
IPRECEIPT@GMAIL.COM

Office Action Summary

Application No.

10/595,826

Applicant(s)

PRZYBYLEK, PIOTR

Examiner

Kevin L. Ellis

Art Unit

2188

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 18-20 is/are allowed.
- 6) ☐ Claim(s) ____ is/are rejected.
- 7) ☒ Claim(s) 1-17 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/55/08)
Paper No(s)/Mail Date 5/15/06
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____

Detailed Action

1. Claims 1-20 are presented for examination.
2. Information disclosed and listed on PTO 1449 has been considered.
3. Receipt is acknowledged of papers submitted under 35 U.S.C. § 119(a)-(d), which papers have been placed of record in the file.
4. This application is in condition for allowance except for the following formal matters:

Claim Objections

5. Claims 1-17 are objected to because of the following informalities:

Claim 1 recites:

"the current sector" (Line 4) - the word 'the' should be changed to 'a' since this is the first occurrence of the "current sector"

"the auxiliary sector" (Line 4) - the word 'the' should be changed to 'a' since this is the first occurrence of the "auxiliary sector"

"the operational memory" (Line 5) - the word 'the' should be changed to 'a' since this is the first occurrence of the "operational memory"

"the last patch" (Line 7) - the word 'the' should be changed to 'a' since this is the first occurrence of the "last patch"

"a part of the sector" (Line 8) - the word 'current' should be placed before 'sector' to make explicit that Applicant is referring to the "current sector" and not the "auxiliary sector"

"is successively filled in with the patches" (Line 9) - the word 'the' should be removed since this is not referencing a specific 'patch'

"describing changes" (Line 10) - the phrase "the patches" should be placed before the word 'describing'

"the sectors" (Line 12) - the word 'sectors' should be changed to "current sector and the auxiliary sector"

"thanks to which" (Lines 12-13) - this phrase should be removed to make the statement more readable

Claim 2 recites:

"creating the third buffer" (Line 3) - the word 'the' should be changed to 'a' since this is the first occurrence of the "third buffer"

"storing the patch after compression" (Line 4) - this phrase should be changed to "storing a compressed version of the patches" since compressing the patches has not been discussed yet

Claim 12 recites:

"an operational memory" (Line 4) - the word 'an' should be changed to 'the' since the "operational memory" was already set forth on line 2.

"the last patch" (Line 5) - the word 'the' should be changed to 'a' since this is the first occurrence of the "last patch"

6. Claims 3-10 and 13-17 are objected to as fully incorporating the defects of an objected base claim. Appropriate correction is required.

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7. Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 25 USPQ 74, 453 O.G. 213, (Comm'r Pat. 1935).
8. A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin L. Ellis whose telephone number is 571-272-4205. The examiner can normally be reached on weekdays from 6:00AM-2:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung Sough can be reached on 571-272-6799. The fax phone numbers for the organization where this application or proceeding is assigned is 571-272-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

/Kevin L Ellis/
Primary Examiner, Art Unit 2188
February 21, 2008